

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA,  
:  
-v- : ORDER OF FORFEITURE  
PHIL ENDELLICATE, : 07 Cr. 889 (RPP)  
:  
Defendant. :  
-----X

WHEREAS, on or about September 19, 2007, ERNEST DEANGELIS a/k/a "Ernie" (the "defendant"), among others, was charged in a two-count Indictment 07 Cr. 889 (RPP) (the "Indictment") with conspiring from 2006 through July 2007 to operate an illegal gambling business in violation of 18 U.S.C. § 371;

WHEREAS, the Indictment included a forfeiture allegation pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, seeking the forfeiture of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in the Indictment, including but not limited to the following:

- a. At least \$5,000,000 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses for which the defendants are jointly and severally liable;

WHEREAS, on or about December 4, 2007, the defendant pled guilty to Counts One and Two of the Indictment pursuant to a plea agreement;

WHEREAS, on July 10, 2008, the defendant was sentenced and ordered to forfeit an amount of <sup>\$</sup>20,000 in United States Currency;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses in the Indictment, for which the Defendant was found guilty, a money judgment in the amount of <sup>\$</sup>20,000 shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, PHIL ENDELLICATE, at the time of sentencing and shall be made part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service," and delivered by mail to the United States Attorney's

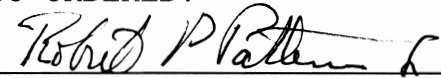
Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

6. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin at the United States Attorney's Office for the Southern District of New York, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York  
July 10, 2008

SO ORDERED:

  
HONORABLE ROBERT P. PATTERSON  
UNITED STATES DISTRICT JUDGE